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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Berry et al.

Serial No.: 09/627,531

Filed: July 28, 2000

For: STABLE NON-AQUEOUS SINGLE
PHASE VISCOUS VEHICLES AND
FORMULATIONS UTILIZING SUCH
VEHICLES

Confirmation No.: 3299

Examiner: B. Fubara

Group Art Unit: 1618

Attorney Docket No.: 3139-6169.1US
(ARC2914C1)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

6/26/06
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Emily Stevens
Signature

Emily Stevens
Name (Type/Print)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of any cited foreign patents, publications, or pending unpublished U.S. applications are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
US – 5,371,089	12/06/1994	Rattan
US – 5,747,058	05/05/1998	Tipton et al.

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
EP 0 265 848	09/25/1991	Lahr et al.
WO 98/27960	07/02/1998	Goodman et al.

Other Documents

ANSEL et al., "Seventh Ed., Pharmaceutical Dosage Forms and Drug Delivery Systems,"

Lippincott Williams & Wilkins (date unknown) pp. 88-90.

CAS RN 56-81-5, 16 November 1984.

Int J Radiat Biol 1995 Jan; 67(1):57-64.

J Toxicol Sci 1993 Aug; 18 Supp 3:1-9.

"Modified-Release Dosage Forms and Drug Delivery Systems," (date unknown), pp. 229, 236, 242 & 243.

Transplantation 1989 Oct; 48(4):554-8.

Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

Serial No. 09/627,531

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits.

The fee pursuant to 37 C.F.R. § 1.17(p) is enclosed.

Respectfully submitted,



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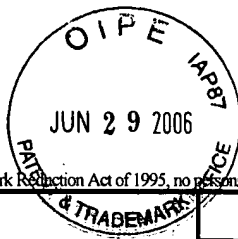
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Enclosures: Form PTO-1449 or PTO/SB/08

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PTO/SB/08A (10-01)

Approved for use through 10/31/2006. OMB 0651-0031

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	09/627,531
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First Named Inventor	Berry et al.
Group Art Unit	1618
Examiner Name	B. Fubara
Attorney Docket Number	3139-6169.1US (ARC2914C1)

Sheet 1 of 2

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 5,371,089	12/06/1994	Rattan	
		US- 5,747,058	05/05/1998	Tipton et al.	
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		EP 0 265 848	09/25/1991	Lahr et al.		X
		WO 98/27960	07/02/1998	Goodman et al.		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Examiner Name	B. Fubara
Attorney Docket Number	3139-6169 1US (ARC2914C1)

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ANSEL et al., "Seventh Ed., Pharmaceutical Dosage Forms and Drug Delivery Systems," Lippincott Williams & Wilkins (date unknown) pp. 88-90.	
		CAS RN 56-81-5, 16 November 1984.	
		Int J Radiat Biol 1995 Jan; 67(1):57-64.	
		J Toxicol Sci 1993 Aug; 18 Supp 3:1-9.	
		"Modified-Release Dosage Forms and Drug Delivery Systems," (date unknown), pp. 229, 236, 242 & 243.	
		Transplantation 1989 Oct; 48(4):554-8.	

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